

November 2, 2021

The Dallas County Board of Supervisors met in regular session pursuant to board rules with Chairman Brad Golightly, Supervisor Mark Hanson and Supervisor Kim Chapman present. Others present: Chuck Sinnard – DC Attorney, Rob Tietz – Operations Director, Beth Deardorff – Human Resources Director, Todd Noah – IS Director, Melinda Harney – Administrative Coordinator, Julia Helm – DC Auditor, Al Miller – DC Engineer, DC Sheriff Leonard, Mike Wallace – Conservation Director, DC Recorder Airhart, Samuel Larsen – Planning & Development, Jerry Purdy – Farnsworth Group, Kristofer Orth – Farnsworth Group, Scott A. Hall, ReNae Arnold, Judge Hefner, Judge Murphy, Judge Ritchie, and Dustin Teays– Raccoon Valley Radio.

Item 1: Call to Order - Chairman Golightly called the meeting to order at 9:01 a.m.
Golightly asked that 5C be deleted from the agenda

Item 2: Approve Agenda - Motion by Hanson and seconded by Chapman to approve the agenda as amended.
All ayes. Motion carried

Item 3: Pledge of Allegiance

Item 4: Open Forum – Woodward Fire Chief passed away

Item 5: Consent Agenda

- A) Expense Claims Paid on 10/29/2021
- B) Fireworks Permit Application
Kelm Brueschke
- C) ~~Drain Claim #15~~

Motion by Chapman and seconded by Hanson to approve the consent agenda. All ayes. Motion carried.

Item 6: Disc/Action Re: Supervisors Minutes from 10/26/2021

Motion by Hanson and seconded by Chapman to approve the 10/26/2021 minutes as presented. All ayes.
Motion carried.

Item 7: Disc/Action Re: Payroll Change Notices

Beth Deardorff presented the following payroll change notices:

Sheriff – Request to hire Lesley Frank to fill the full-time Civil Clerk position at \$19.93/hr.

- Request to hire Angela Barron to fill the full-time Jailer position at \$22.30/hr.

Secondary Roads – Robert Apple end of seasonal employment as of October 31, 2021

Motion by Hanson and seconded by Chapman to approve the payroll changes as submitted. All ayes. Motion carried.

Item 8: Disc/Action Re: Resolution 2021-0108 Amended County Electronic Services 28E Agreement

Motion by Chapman and seconded by Hanson to approve Resolution 2021-0108. All ayes. Motion carried.

RESOLUTION 2021-0108

WHEREAS, the County Electronic Services System was created in 2005 and has implemented electronic transaction in each county and has developed a model statewide land record information system website to provide electronic access to records and information in the State; and

WHEREAS, Dallas County, Iowa entered into the County Electronic Services 28E Agreement on August 11, 2005 and;

WHEREAS, 2005 Iowa Acts, Chapter 179, Section 101 has been amended by the Iowa General Assembly (House File 527, 2021 Iowa Acts) to allow the Electronic Services System to amend the agreement to provide for the ongoing implementation of the county land record information.

THEREFORE, LET IT BE RESOLVED that the Dallas County Board of Supervisors approves the amended County Electronic Services System 28E Agreement and authorizes the Chairperson to sign the amended agreement.

AYE

Brad Golightly, Chairman
Mark A. Hanson, Member
Kim Chapman, Member

NAY

Dated this 2nd day of November, 2021

ATTEST: Julia Helm, Dallas County Auditor

Item 9: Disc/Action Re: Resolution 2021-0106 Abate Mobile Home Taxes

Motion by Hanson and seconded by Chapman to approve Resolution 2021-0106. All ayes. Motion carried.

RESOLUTION 2021-0106

WHEREAS, Iowa Code Section 435.25 provides that taxes should be abated upon mobile homes removed from the County, or when it is administratively impractical to pursue tax collection; and

WHEREAS, the mobile homes listed comes within such terms of said Iowa Code section.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DALLAS COUNTY, IOWA that

All taxes, regular and special, penalties, interests and costs for the attached listed mobile homes be and are hereby abated.

(Attachment-filed in Supervisors office)

Owner	Lot#	VIN#	Taxes	Int&Fees	Total
Wendy Marisol Puente Cedano	23	033102F	\$432	\$66	\$498.00
Grand Total:					\$498.00

AYE

Brad Golightly, Chairman
Mark A. Hanson, Member
Kim Chapman, Member

NAY

Item 10: Disc/Action Re: Right of Way Agreements

Motion by Hanson and seconded by Chapman to approve and authorize the Chair to Sign - Right of Way Purchase Agreements as follows:

270th Street Bridge Replacement Project – Iowa DOT Letting - January 19, 2022

- Jerry L. Hester for \$520.80
- Steven K. Venard and Joyce M. Venard for \$685.41
- Thomas Book and Jennifer Book, husband and wife for \$2,211.54
- Knoll Acres, Limited for \$1,489.86

Panther Creek Road Culvert Replacement Project - Maintenance

- Kendall W. White for \$2,008.00
- Mark D. Davis and Elise Kraft Davis for \$1,048.00

Meadow Road Culvert Replacement Project - Maintenance

- Charles C. Kreager for \$352.00

Old Portland Road and Old Portland Way Culvert Replacement Project - Maintenance

- Diane J. Bogardus for \$1,392.00

All ayes. Motion carried.

Item 11: 9:30 a.m. Disc/Action Re: Resolution 2021-0107 Public Hearing Mid-American Energy Trindle Park Underground Electric Easement

Mike Wallace said that this is an upgrade of a main services line for Mid-American Energy and it extends out of the park. He said that this easement was reviewed by co attorney Sinnard, approved by the conservation board contingent on approval of the Board of Supervisors. There were no public comments.

Motion by Hanson and seconded by Chapman to close the public hearing. All ayes. Motion carried.

Motion by Chapman and seconded by Hanson to approve Resolution 2021-0107. All ayes. Motion carried.

RESOLUTION 2021-0107

WHEREAS, The Mid American Energy is requesting a perpetual, non-exclusive easement to construct, reconstruct, operate, maintain, replace or remove underground conduits, wires and cables for the transmission and distribution of electric energy and for communication and electrical controls, including other reasonably necessary equipment incident thereto (collectively “Facilities”) under and on the surface of the ground, through and across certain property described below, together with the right of ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this easement.

COMMENCING AT THE SOUTH QUARTER (S 1/4) CORNER OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 27, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE N. 00°00' 2802.9', THENCE N. '90°00' W. 768.7' TO C/L STA. 29+68 ON IOWA PRIMARY ROAD NO. 293 AND THE POINT OF

BEGINNING. THENCE N. 33°04' W. 414.1', THENCE NORTHWESTERLY 169.9' ALONG A 1910.0' RADIUS CURVE CONCAVE EASTERLY TO C/L STA. 35+52 ON SAID IOWA NO. 293, THENCE N. 90°00' W. 984', THENCE S. 01°28' W 630.0', THENCE S. 48°00' E. 517.0', THENCE S. 90°00' E. 757.0' TO THE C/L OF A COUNTY ROAD, THENCE N. 07°44' E. 358.9', THENCE N. 44°07' E. 176.5' TO THE POINT OF BEGINNING.

A 10.0 FEET WIDE STRIP OF LAND ACROSS AN UNPLATTED TRACT OF LAND IN SECTION 27, T-78N, R-27W OF THE 5TH P.M., CITY OF VAN METER, DALLAS COUNTY, IOWA AS DESCRIBED IN BOOK 506, PAGE 505 OF THE DALLAS COUNTY RECORDER'S OFFICE. THE CENTERLINE OF SAID STRIP IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF LOT 1, TRAXLER SUBDIVISION AMENDED PLAT AND BEING THE SE CORNER OF SUBJECT PROPERTY; THENCE N07° 48'48"E, 76.25 FEET ALONG THE EAST LINE OF SAID PROPERTY TO THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE; THENCE N78°15'58"W, 96.32 FEET TO A POINT; THENCE N67°39'23"W, 179.68 FEET TO A POINT; THENCE S15°29'41"W, 97.73 FEET TO A POINT; THENCE N89°20'53"W, 202.6 FEET TO A POINT; THENCE N87°57'58"W, 98.87 FEET TO A POINT; THENCE N85°53'35"W, 98.97 FEET TO A POINT; THENCE N81°57'57"W, 72.99 FEET TO A POINT; THENCE S64°16'04"W, 79.33 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID PROPERTY AND THE NORTHEASTERLY LINE OF LOT 1 OF TRAXLER SUBDIVISION AMENDED PLAT WHICH LIES 85 FEET, MORE OR LESS, NORTHWEST OF A FOUND CORNER ON THE NORTH LINE OF SAID LOT 1 AND BEING THE POINT OF TERMINATION OF SAID EASEMENT CENTERLINE. SAID EASEMENT CONTAINS 0.21 ACRES, MORE OR LESS.

THEREFORE, LET IT BE RESOLVED THAT the Dallas County Board of Supervisors, in consideration of the sum of \$1.00 and other good and valuable considerations to be paid by Mid-American Energy Dallas County, Iowa does hereby convey unto Mid-American Energy a perpetual overland flowage easement (the "Easement") and right-of-way upon, over, under, through and across the real property legally described above.

AYE
Brad Golightly, Chairman
Mark A. Hanson, Member
Kim Chapman, Member

NAY

Item 12: 9:45 a.m. Disc/Action Re: Second Reading of Proposed Amendments to Chapter 2 of Dallas County Ordinances County Infractions
Attorney Sinnard these changes are due to hourly rate changes in legislation.

Motion by Chapman and seconded by Hanson to close the public hearing. All ayes. Motion carried.
Motion by Chapman and seconded by Hanson to approve the second reading and waive the third reading of proposed amendments to Chapter 2 of Dallas County Ordinances County Infractions. All ayes. Motion carried.

Item 13: Disc/Action Re: Designation by Elected Official
A) Resolution 2021-0109 Deputy Attorneys
Motion by Chapman and seconded by Hanson to adopt Resolution 2021-0109. All ayes. Motion carried.

RESOLUTION 2021-0109

BE AND IT IS HEREBY RESOLVED by the Dallas County Board of Supervisors to approve the following appointments and designations:

DALLAS COUNTY ATTORNEY’S OFFICE DEPUTIES

Jordan Rude (term began 10-26-21) Term to expire December 31, 2022
Andrea Lovig (term began 10-26-21) Term to expire December 31, 2022

AYE
Brad Golightly, Chairman
Kim Chapman, Member
Mark A. Hanson, Member

NAY

Dated this 2nd day of November, 2021
ATTEST: Julia Helm, Dallas County Auditor

Item 14: Disc/Action Re: River Oaks Homeowners Association Fence Agreement
Al Miller, DC Engineer, is not recommending approving this agreement at this point. He needs more information from Madison County and the River Oaks Homeowners Association. This is about a gate on a Level B road placed by the homeowner’s association. After more information is gathered this item will be back

on the agenda.

**Item 15: Disc/Action Re: Law Enforcement Center HVAC Improvements Quote
DCLEC Cooling Improvements by Dahl Air Conditioning & Heating LLC**

Motion by Hanson and seconded by Chapman to approve of the Law Enforcement Center HVAC Improvements Quote in the amount of \$66,200 and authorize the chair to sign. All ayes. Motion carried.

**Item 16: Disc/Action Re: Courthouse Roof Repair Contract
\$27,500 - Renaissance Roofing, Inc.**

Motion by Chapman and seconded by Hanson to approve the Courthouse Roof Repair Contract between Renaissance Roofing, Inc. and Dallas County as presented and authorize the chair to sign. All ayes. Motion carried.

**Item 17: Disc/Action Re: Carriage House Restoration Project Change Order #3
All came out of Contingency line \$0**

Chapman would like more review of this change order. Hanson walked through the building and said that it looks good.

**Item 18: Disc/Action Re: Future County & Court Space Needs
Attorney Sinnard, Judge Hefner, Judge Murphy, Judge Ritchie, Scott Hall – President DC Bar Association**

The Board with the Judges discussed the day to day situation for court services in the courthouse. Judge Hefner reported on the court needs throughout the week. Attorney Sinnard said there have been 27 jury trials since February 2021. He also reported that the felony cases have doubled over the last 7 years and his filings are going up to 3600 a year. There are more non-jury trials than jury trials.

Judge Hefner said that there is an immediate need for one full size courtroom in his opinion. He said that this space discussion is not new as Dallas County has seen its population increase. Hefner said that in his opinion if we are still using the courthouse then it is time to finish and use the entire building for court services.

There was a discussion of where additional courts could be in the current courthouse and the number of courtrooms in similar counties.

DC Bar Association President Scott Hall explained the perspective of private attorneys and civil law.

Judge Hefner sated that Judge Hubbard asked if the county would want to do a space study and suggested the National Center for State Courts.

Item 19: Other Business

Hanson said that Mid-American may be recycling wind turbine blades in rural Earham, Dallas Co. Larsen said that it is in the process of being re-zoned and there are questions about the recycling (grinding and environmental) or just dumping.

Hanson letter from the Iowa Department of Revenue about LOSST – Tietz reported that the LOSST dollars were budgeted at 3.9 million and then the estimate from DOR 5.1 million.

Auditor Helm reported that the Temporary Redistricting Board will be meeting on Thursday, Nov. 4 at 2 p.m. in the Supervisors boardroom.

Samuel Larsen said that at 130th and I Ave zoned light industrial owner using it to dump appliances and he is in violation of the zoning ordinance. He said that there are appliances are being dumped in the ditch. The owner is not screening it from view. Larsen said P&Z is in discussion with the County Attorney about what are the next steps. Larsen will bring back this issue to clarify the ordinance for use.

Beth Deardorff reported that she will be attending the National Public Employers Labor Relations Association Annual Training conference in New Orleans.

Chapman stated that a Board of Health member moving out of county so they will need a replacement.

Item 20: Motion to Adjourn - Motion by Hanson and seconded by Chapman to adjourn the meeting at 11:44 a.m. All ayes. Motion carried.